



POLICE DEPARTMENT

October 4, 2012

MEMORANDUM FOR: Police Commissioner

Re: Police Officer Juan Mora
Tax Registry No. 920626
44 Precinct
Disciplinary Case No. 2010-1689

Police Officer Angel Andujar
Tax Registry No. 934402
44 Precinct
Disciplinary Case No. 2010-1593

Sergeant Danny Diaz
Tax Registry No. 923763
44 Precinct
Disciplinary Case No. 2010-1594

The above-named members of the Department appeared before me on May 9, 2012, charged with the following:

Disciplinary Case No. 2010-1689

1. Said Police Officer Juan Mora, while assigned to the 44th Precinct, on or about January 10, 2009, while on-duty, wrongfully failed to ensure that an arrestee was transported from the scene of the arrest directly to the nearest hospital facility, after having witnessed the arrestee swallow a bag of marijuana. (*As amended*)

P.G. 210-04, Page 2, Note PRISONERS REQUIRING MEDICAL/
PSYCHIATRIC TREATMENT

Disciplinary Case No. 2010-1593

1. Said Police Officer Angel Andujar, while assigned to the 44th Precinct, on or about January 10, 2009, while on-duty, wrongfully failed to ensure that an arrestee was transported from the scene of the arrest directly to the nearest hospital facility after learning that the arrestee had swallowed a bag of marijuana. (*As amended*)

P.G. 210-04, Page 2, Note – PRISONERS REQUIRING MEDICAL/
PSYCHIATRIC TREATMENT

2. Said Police Officer Angel Andujar, assigned as indicated in Specification #1, on or about January 10, 2009, while on-duty, wrongfully engaged in conduct prejudicial to the good order, efficiency or discipline of the Department when he failed to properly prepare the property clerk's invoice form: to wit, said Officer failed to clearly indicated the name of the "finder of property." *(As amended)*

P.G. 203-10, Page 1, Paragraph 5 – PROHIBITED CONDUCT

3. Said Police Officer Angel Andujar, assigned as indicated in Specification #1, on or about January 10, 2009, while on-duty, failed to prepare a Medical Treatment of Prisoner (PD244-150) form. *(As amended)*

P.G. 208-03, Page 6, Paragraph 19 (h) – ARRESTS-GENERAL PROCESSING

Disciplinary Case No. 2010-1594

1. Said Sergeant Danny Diaz, while assigned to the 44th Precinct, on or about January 10, 2009, while on-duty, failed to ensure that an arrestee was transported to the nearest hospital facility after he learned that the arrestee had swallowed a bag of marijuana. *(As amended)*

P.G. 210-04, Page 2, Note – PRISONERS REQUIRING MEDICAL/
PSYCHIATRIC TREATMENT

2. Said Sergeant Danny Diaz, assigned as indicated in Specification #1, on or about January 10, 2009, while on-duty, failed to ensure that a Medical Treatment of Prisoner (PD244-150) form was filled out. *(As amended)*

P.G. 210-04, Page 1, Paragraph 2 – PRISONERS REQUIRING MEDICAL/
PSYCHIATRIC TREATMENT

3. Said Sergeant Danny Diaz, assigned as indicated in Specification #1, on or about January 10, 2009, while on-duty, failed to ensure that the Property Clerk's Invoice form prepared by Police Officer Angel Andujar was complete and accurate. *(As amended)*

P.G. 208-03, Page 7, Paragraph 21 – ARRESTS-GENERAL PROCESSING

The Department was represented by Jamie H. Moran, Esq., Department Advocate's Office. Respondents Mora and Andujar were represented by Michael Martinez, Esq. Respondent Diaz was represented by John D'Alessandro, Esq.

Respondents, through their counsel, entered pleas of Not Guilty to the subject charges. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review.

DECISION

Disciplinary Case No. 2010-1689

Respondent Mora is found Guilty.

Disciplinary Case No. 2010-1593

Respondent Andujar is found Guilty.

Disciplinary Case No. 2010-1594

Respondent Diaz is found Guilty.

SUMMARY OF EVIDENCE PRESENTED

Introduction

It is not disputed that on January 10, 2009, Respondents were on duty, wearing plainclothes, assigned to the 44 Precinct. Respondent Mora was assigned to the Street Narcotics Enforcement Unit (SNEU), and Respondents Diaz and Andujar were assigned to the Anti-Crime Unit. Respondents and other members of the service (MOS) were

POLICE OFFICER JUAN MORA
POLICE OFFICER ANGEL ANDUJAR
SERGEANT DANNY DIAZ

ordered to attend a tactical meeting conducted by Special Operations Lieutenant Joseph Lyons. Lyons announced that an operation would be conducted that day to arrest Person A [REDACTED] on a gun possession complaint. All of the MOS present at the tactical meeting were shown a photo of Urretia. Respondents were assigned in a backup capacity for the operation.

The Department's Case

The Department called Sergeant Gonzalo Corredor-Torres as its sole witness.

Sergeant Corredor-Torres

Corredor-Torres, a 15-year MOS who is currently assigned to the [REDACTED] Warrant Squad, was assigned to the Internal Affairs Bureau (IAB) during 2009 and was assigned to investigate an allegation made by Person A that when he was arrested on January 10, 2009, Respondents had "flaked" him by planting drugs on him and that they had committed perjury by claiming that the drugs were his.

Corredor-Torres viewed a video of the arrest which was recorded at the time of the arrest; he conducted official Department interviews of each of the three Respondents; and he reviewed the arrest paperwork. In the video, Person A is depicted arriving [REDACTED] [REDACTED]. He is then seen being approached by Respondents Mora and Andujar. After a struggle, Respondent Mora placed Person A under arrest.

Corredor-Torres interviewed Respondent Mora on January 22, 2010, and questioned him regarding his role in the January 10, 2009 arrest. Respondent Mora stated that he believed that he had observed Person A with a bag of marijuana in his mouth.

Respondent Mora demanded that Person A spit it out, but Person A refused. A struggle ensued that ended with Respondent Mora placing Person A under arrest. Respondent Mora searched Person A and found marijuana and crack cocaine on his person.

Corredor-Torres interviewed Respondent Andujar on February 11, 2010 regarding the events of January 10, 2009. Respondent Andujar stated that he was the arresting officer on that day. Respondent Andujar conducted a search of Person A's bedroom, which did not produce a gun. Respondent Andujar was shown the video previously viewed by Corredor-Torres. Respondent Andujar verified that he was present with Respondent Mora and Person A in the hallway and that Respondent Mora told him that Person A had swallowed a bag of marijuana.

Corredor-Torres interviewed Respondent Diaz on March 5, 2010 regarding the events of January 10, 2009. Respondent Diaz was Respondent Andujar's direct supervisor who reviewed and signed off on Respondent Andujar's arrest paperwork. In total, Corredor-Torres interviewed nine members of the Department, none of whom indicated that Person A was taken to the hospital after his arrest.

On cross-examination by counsel for Respondents Mora and Andujar, Corredor-Torres relayed that the initial allegation of flaking likely came from Person A through his counsel. The allegation was passed along to IAB. Corredor-Torres did not believe that Person A spoke to anyone from the District Attorney's office, which was conducting a simultaneous investigation into the incident. After reviewing the surveillance video and conducting interviews, Corredor-Torres found the flaking charge to be unsubstantiated. Specifically, Corredor-Torres found no evidence that drugs were planted on Person A.

Corredor Torres conceded that he did not ask whether Person A received medical attention in any of the initial interviews, but did point out that he did ask all three Respondents in their follow-up interviews. Corredor-Torres stated that, of the initial interviews of those involved in the incident, only Respondents were re-interviewed as they were determined to have closest connection to Person A and would be in a position to know whether he received medical treatment. Corredor-Torres did not know whether or not Lyons knew that marijuana had been swallowed at the scene, as Corredor-Torres did not inquire with Lyons on the subject.

Corredor-Torres stated that the Patrol Guide requires that a prisoner be taken to a hospital when officers believe the prisoner has ingested a controlled substance. Corredor-Torres did not find any evidence that Person A asked for medical attention, complained of pain, or exhibited signs of medical distress. Corredor-Torres did not find any evidence that Person A suffered medical trauma related to swallowing something on that date. Corredor-Torres explained that the Patrol Guide requires that a medical treatment form be filled out by a member of the Department when a person receives or refuses medical treatment. Person A was not found to have received or refused any medical treatment.

Corredor-Torres reasserted that Respondents ordered Person A to spit out the bag from his mouth, but that Person A did not comply. The bag was not recovered, and Respondent Andujar charged Person A with evidence tampering. Upon review, the District Attorney's office chose to not prosecute the evidence tampering charge.

On cross-examination by counsel for Respondent Diaz, Corredor-Torres relayed that the District Attorney's office conducted their own investigation separate from the

Department's, finding the perjury and flaking charges unfounded. The District Attorney's office proceeded with the prosecution of Person A. In the Department's investigation, it was determined that Respondent Diaz was in the apartment at the time of the arrest, thereby having no first-hand knowledge of it.

Lyons asserted at his official Department interview that he observed the arrest and that he did not observe officers plant any evidence on Person A. Corredor-Torres agreed that proper protocol would have required Lyons to make the determination whether Person A needed medical attention if Lyons observed something that would require it. Lyons ordered Person A back to the command when Diaz was still in the apartment.

On redirect examination, Corredor-Torres reiterated that Lyons never stated at his official Department interview that he knew Person A had swallowed a bag of marijuana.

On re-cross-examination, Corredor-Torres confirmed that Lyons never said this because he was never asked whether he knew that Person A had swallowed a bag of marijuana. Corredor Torres explained that the decision to not re-interview Lyons so that he could be asked whether he knew that Person A had swallowed a bag of marijuana was made by his supervisors at IAB.

Property Clerk's Invoice P521200 prepared by Respondent Andujar regarding Specification No. 2 was entered into evidence as Court's Exhibit (CX) 1.

Respondents' Case

Each Respondent testified in his own behalf.

Respondent Andujar

Respondent Andujar, a seven-year member of the Department currently assigned to the 44 Precinct, was assigned as backup for the operation [REDACTED] conducted by Lyons on January 10, 2009. Respondent Andujar's direct supervisor for this operation was Respondent Diaz. Upon arriving at the location, Respondent Andujar, in plainclothes, entered the apartment with Lyons and Respondent Diaz upon consent of Person A's mother and conducted a search of Person A's bedroom while other officers waited outside of the apartment.

Respondent Andujar noticed a commotion outside of the apartment, and when he exited the apartment to inquire, he observed Person A sitting down next to the stairs while Respondent Mora searched him. From less than one foot away, Respondent Andujar observed Respondent Mora recovering small bags of marijuana and crack cocaine from Person A. Respondent Mora handed the contraband to Respondent Andujar, at which point it was determined that Respondent Andujar would be the arresting officer. Respondent Mora then explained to Respondent Andujar in the presence of other officers that he observed Person A put a bag of marijuana in his mouth and swallow it. No officer present suggested that Person A needed medical attention and Person A never requested it.

Respondent Andujar forwarded the paperwork on the arrest to the District Attorney's office, which did not charge Person A with evidence tampering. In preparing this paperwork, Respondent Andujar wrote that he observed Person A swallowing what appeared to be a bag of marijuana, and listed himself as the arresting officer. Respondent Andujar did not list Respondent Mora as the arresting officer because he and Respondent

Mora found the contraband items at the same time. This paperwork was reviewed by Respondent Diaz before it was sent to the District Attorney's office.

On cross-examination, Respondent Andujar recalled that though he did not physically recover the contraband from Person A, he believed that it was recovered by Respondent Mora from his sneaker or sock. Respondent Andujar conceded that by listing himself as the arresting officer on the Property Clerk's Invoice, it would indicate that he was the finder of contraband property. Respondent Andujar affirmed that Person A at no point received medical attention, and it was not requested or suggested by any party.

After finishing his search of the apartment, Respondent Andujar left the location and returned to the 44 Precinct where he again observed Person A. Respondent Andujar checked the logbook and noticed that Person A had not been taken to the hospital. He did not fill out a medical treatment form, nor asked for input from any superior as to whether Person A needed medical attention.

Upon reviewing the Omniform arrest report for the arrest of Person A, Respondent Andujar acknowledged that the form indicates that Respondent Diaz entered the form into the computer. Respondent Andujar explained that in fact he did enter it, though logged in under Respondent Diaz's password.

On redirect examination, Respondent Andujar clarified that Respondent Diaz physically logged into the computer so Respondent Andujar could enter the arrest information. Respondent Andujar clarified that the operation [REDACTED] was supervised by Lyons supported by three sergeants, one of whom was Respondent Diaz. Lyons was present when Person A was removed from the scene. Person A was transported back to the command on Lyons' instructions.

Respondent Mora

Respondent Mora, a 15-year member of the Department who is assigned to the 44 Precinct, recalled that on January 10, 2009, when he arrived at Person A's apartment building, he positioned himself in the hallway outside of the apartment. Respondent Mora observed Person A approach with what appeared to be a small bag of marijuana in his mouth. Respondent Mora apprehended Person A and ordered him to spit the bag out. Person A refused to do so. Respondent Mora placed Person A under arrest. A sergeant at the scene assisted Respondent Mora in handcuffing Person A. The bag Respondent Mora observed in Person A's mouth was not recovered.

After placing Person A under arrest, Respondent Mora searched the prisoner and recovered two bags of marijuana and one bag of cocaine from Person A's shoe. Respondent Mora immediately handed the contraband to Respondent Andujar. Respondent Mora did not take Person A to the hospital nor did he feel that Person A required medical attention.

On cross-examination, Respondent Mora conceded that he required the assistance of a sergeant and another police officer in subduing and arresting Person A. Respondent Mora informed Respondent Andujar that Person A may have swallowed a bag of marjuiana, and Respondent Mora believed this was heard by surrounding officers.

After he returned to the stationhouse, Respondent Mora did not inquire to Person A's status or condition because he was not the arresting officer and because he had other responsibilities. Respondent Mora testified that he would normally take a prisoner to the hospital if the prisoner requested it or if the prisoner exhibited physical

complications. Respondent Mora explained that he had ordered Person A to spit out the bag of marijuana so that Person A would not choke on the bag.

Respondent Diaz

Respondent Diaz, a 12-year member of the Department who is assigned to the 44 Precinct, was asked to assist in Lyons' special operation on January 10, 2009. Respondent Diaz was inside Person A's apartment searching for a firearm when Person A was placed under arrest in the hallway, but heard secondhand of the arrest and events regarding Person A that transpired.

Respondent Diaz explained that Lyons was aware that Person A had swallowed a bag of marijuana, but that Lyons did not believe that it was necessary for Person A to receive medical attention. Respondent Diaz signed off on the Property Clerk's Invoice prepared by Respondent Andujar after he reviewed it because he believed it to be accurate. Respondent Diaz explained that a medical treatment form was not filled out because Person A was not taken to the hospital and had not refused medical treatment.

On cross-examination, Respondent Diaz agreed that he is required to question arresting officers about the paperwork, as the arrests are often verified by other members of the Department. Respondent Diaz questioned Respondent Andujar about the contraband recovered from Person A, and learned that Respondent Andujar recovered the property in the presence of Respondent Mora.

After the arrest, Respondent Diaz checked the Command Log to see if there was an entry indicating that Person A had been taken to the hospital. He did not ask Lyons as to why Person A was not transported to the hospital. Respondent Diaz did not order any

officer to take Person A to the hospital, nor did he ask Person A if he needed medical treatment.

FINDINGS AND ANALYSIS

Disciplinary Case No. 2010-1689, Specification No. 1

Disciplinary Case No. 2010-1593, Specification Nos. 1 and 3

Disciplinary Case No. 2010-1594, Specification Nos. 1 and 2

All three Respondents are charged with having failed to comply with the requirements of Patrol Guide Procedure No. 210-04, "Prisoners Requiring Medical/Psychiatric Treatment." It is charged that Respondent Mora wrongfully failed to ensure that Person A was transported from the scene of the arrest directly to the nearest hospital facility after he had seen Person A swallow a bag of marijuana, and it is charged that Respondent Andujar and Respondent Diaz failed to ensure that Person A was transported to the nearest hospital facility after they learned that Person A had swallowed a bag of marijuana. Respondent Andujar is further charged with having failed to prepare a Medical Treatment of Prisoner (PD244-150) form for Person A and Respondent Diaz is further charged with having failed to ensure that Respondent Andujar did so.

Respondent Mora testified that he observed what "appeared to be" a "small bag" containing "marijuana" in Person A's mouth which Person A refused to spit out and then swallowed. Respondent Andujar and Respondent Diaz acknowledged that at the arrest scene they became aware that Person A had swallowed a bag of what appeared to be marijuana Patrol Guide Procedure No. 210-04 mandates that:

When a uniformed member of the service observes or suspects that a prisoner has ingested a narcotic or other dangerous substance, the prisoner will be transported from the place of arrest DIRECTLY to the nearest hospital facility. The uniformed member of the service WILL PROMPTLY notify the communications section dispatcher and the patrol supervisor upon observation or suspicion of ingestion, when transport to hospital is initiated, and upon arrival at the hospital. Emergency Medical Service (EMS) and hospital personnel will be informed of the quantity and type of substance ingested, if known. UNDER NO CIRCUMSTANCES will a prisoner who has ingested a narcotic or other dangerous substance be transported to the command for arrest processing prior to receiving medical treatment.

Respondents argued that since marijuana is not a “narcotic” and since Patrol Guide Procedure No. 210-04 does not define the term “dangerous substance,” ingestion of a small bag of marijuana is an insufficient basis to charge Respondents with failing to comply with the requirements of Patrol Guide Procedure No. 210-04. However, since the bag Respondent Mora observed in Person A’s mouth was not recovered, none of the Respondents could be certain that the substance in the bag that Person A swallowed that appeared to Respondent Mora to be marijuana was, in fact, marijuana and only marijuana. Since Respondent Mora recovered a bag of cocaine hidden inside Person A’s shoe, it is clear that Person A was in possession of a narcotic. For all Respondents knew, there could have been some cocaine inside the bag that Person A swallowed. Since Respondents could be not be certain what Person A had swallowed, only that it was an illegal substance that Person A did not want them to recover, Respondents were required to comply with the requirements of Patrol Guide Procedure No. 210-04.

Respondent Diaz testified that Lieutenant Lyons was present when Respondent Diaz was told that Person A had swallowed a bag of marijuana and that he believed that it was Lyons’ “call” as to whether Person A would be transported to the hospital. However, Respondent Diaz’ admission that he never even asked Lyons whether Person A was going to be transported to a hospital shows that Respondent Diaz did not even attempt to try to

Officer" but Respondent Mora was the actual "finder of property," this entry is not accurate.

As a result, Respondent Andujar is found Guilty of having failed to properly prepare the Property Clerk's Invoice. Since Respondent Diaz had a duty to ensure that the information that Respondent Andujar entered on the Property Clerk's Invoice prepared was accurate, Respondent Diaz is found Guilty.

PENALTY

In order to determine appropriate penalties, Respondents' service records were examined. See *Matter of Pell v. Board of Education*, 34 N.Y. 2d 222 (1974).

Respondent Diaz was appointed to the Department on July 7, 1999. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum.

Respondent Mora was appointed to the Department on December 8, 1997. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum.

Respondent Andujar was appointed to the Department on July 1, 2004. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached confidential memorandum.

The Advocate recommended that Respondent Andujar forfeit 15 vacation days; and that Respondent Mora forfeit ten vacation days; and that Respondent Diaz forfeit ten vacation days.

With regard to Respondent Andujar, although as the assigned arresting officer he was responsible for the well-being of his prisoner, Respondent Andujar's failure to comply with Patrol Guide Procedure No. 210-04 must be considered in light of the fact that Respondent Andujar knew that his supervisor, Respondent Diaz, was aware that Person A had swallowed a bag of marijuana and Respondent Diaz never directed him to take Person A to the hospital.

Regarding Respondent Andujar's failure to enter Respondent Mora's name in the finder of property box on the Property Clerk's Invoice, the record indicates that this was no more than a minor clerical error made on a document which is not a sworn affidavit (such as a criminal complaint) and that this error had no adverse affect on the prosecution of Person A. Also, this is not a case where an assigned arresting officer claimed to have recovered property that was handed to him by someone who recovered it elsewhere. Here, Respondent Andujar was physically present standing near Respondent Mora when he searched Person A and recovered the drugs that Respondent Andujar listed on the Property Clerk's Invoice. Finally, the record is devoid of any evidence that Respondent Andujar was seeking to cover up the fact Respondent Mora actually found the drugs.

With regard to Respondent Mora, although he has been found guilty because Patrol Guide Procedure No. 210-04 states that its provisions apply to any uniformed MOS who observes or suspects that a prisoner has ingested a narcotic or other dangerous substance, in fashioning an appropriate penalty regarding Respondent Mora, I have taken into consideration the fact that Person A was not his prisoner because he was not assigned as the arresting officer.

With regard to Respondent Diaz, although as Respondent Andujar's immediate supervisor he should have insured that Person A was transported from the arrest scene directly to the nearest hospital, it is not disputed that Lieutenant Lyons was in overall charge of the operation that resulted in the arrest of Person A and Respondent Diaz offered unrefuted testimony that Lyons was present when Respondent Diaz was told that Person A had swallowed a bag of marijuana. Finally, the fact that Respondent Diaz did not notice that Respondent Andujar had entered "AO" (rather than Respondent Mora's name) in the finder of property box on the Property Clerk's Invoice constitutes a relatively minor supervisory oversight.

In Disciplinary Case No. 82161/06, signed on May 19, 2008, a 21-year sergeant with no prior disciplinary record forfeited eight vacation days for failing to seek medical assistance for a prisoner believed to have ingested crack cocaine and for neglecting to insure that pedigree forms for two prisoners were properly completed. However, in that case, unlike here, the sergeant was also found guilty of failing to properly supervise the arrest processing of the two prisoners, in that he failed to witness the prisoner searches, and he made improper Command Log entries.

Also, in Disciplinary Case No. 85209/09, signed on June 2, 2010, a 17-year sergeant with no prior disciplinary record forfeited eight vacation days for failing to obtain medical treatment for a prisoner who had repeatedly requested medical assistance and for failing to insure that a medical treatment form for the prisoner was completed. However, in that case, unlike here, the sergeant was also found guilty of allowing a Desk Appearance Ticket (DAT) to be issued to the prisoner without insuring that the required DAT procedure was followed.

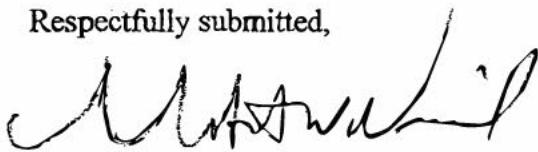
In fashioning appropriate penalty recommendations, I have also taken into consideration the fact that all three Respondents have outstanding performance evaluations (see attached Confidential Memoranda).

Respondent Diaz has no prior formal disciplinary record in 13 years of service. Consistent with the above-cited cases, I recommend that he, as the supervising sergeant, forfeit eight vacation days.

Since Respondent Andujar has no prior formal disciplinary record in eight years of service, I recommend that he forfeit five vacation days.

Since Respondent Mora has no prior formal disciplinary record in nearly 15 years of service, I recommend that he forfeit three vacation days.

Respectfully submitted,



Robert W. Vinal
Assistant Deputy Commissioner - Trials



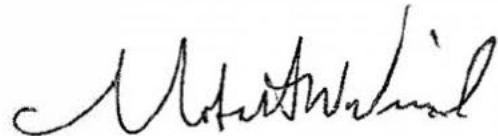
POLICE DEPARTMENT
CITY OF NEW YORK

From: Assistant Deputy Commissioner - Trials
To: Police Commissioner
Subject: CONFIDENTIAL MEMORANDUM
POLICE OFFICER JUAN MORA
TAX REGISTRY NO. 920626
DISCIPLINARY CASE NO. 2010-1689

Respondent received an overall rating of 4.0 on his 2011 performance evaluation, 4.5 on his 2010 evaluation, and 4.5 on his 2009 evaluation. He has been awarded one Meritorious Police Duty medal and three Excellent Police Duty medals. [REDACTED]
[REDACTED] He has no prior formal disciplinary record.

On October 21, 2005, he was placed in Level 1 Force Monitoring which ended on February 22, 2007.

For your consideration.



Robert W. Vinal
Assistant Deputy Commissioner – Trials

POLICE DEPARTMENT
CITY OF NEW YORK

From: Assistant Deputy Commissioner - Trials

To: Police Commissioner

Subject: CONFIDENTIAL MEMORANDUM
POLICE OFFICER ANGEL ANDUJAR
TAX REGISTRY NO. 934402
DISCIPLINARY CASE NO. 2010-1593

Respondent received an overall rating of 4.5 on his 2011 performance evaluation,
4.5 on his 2010 evaluation, and 4.5. on his 2009 evaluation. He has no medals. [REDACTED]

[REDACTED] He has no prior formal disciplinary record. He has
no monitoring records.

For your consideration.



Robert W. Vinal
Assistant Deputy Commissioner – Trials

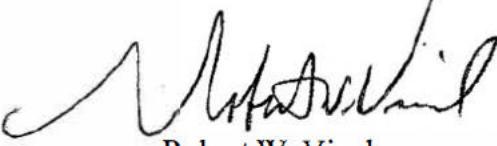
POLICE DEPARTMENT
CITY OF NEW YORK

From: Assistant Deputy Commissioner - Trials
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SERGEANT DANNY DIAZ
TAX REGISTRY NO. 923763
DISCIPLINARY CASE NO. 2010-1594

Respondent received an overall rating of 4.5 on his 2011 performance evaluation, 5.0 on his 2010 evaluation, and 5.0 on his 2009 evaluation. He has no medals.

[REDACTED] He has no prior formal disciplinary record. He has no monitoring records.

For your consideration.



Robert W. Vinal
Assistant Deputy Commissioner Trials